

Article - Estates and Trusts

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§13.5–207.

Except for a petition for the appointment of a guardian in an emergency or a protective order limited to property located in this State as provided in § 13.5–202 of this subtitle, if a petition for the appointment of a guardian or protective order is filed in this State and another state and neither petition has been dismissed or withdrawn, the following rules apply:

(1) If the court in this State has jurisdiction under § 13.5–201 of this subtitle, the court may proceed with the case unless a court in another state acquires jurisdiction under § 13.5–201 of this subtitle before the appointment or issuance of the order; or

(2) (i) If the court in this State does not have jurisdiction under § 13.5–201 of this subtitle, whether at the time the petition is filed or at any time before the appointment or issuance of the order, the court shall stay the proceeding and communicate with the court in the other state; and

(ii) If the court in the other state does not determine that the court in this State is a more appropriate forum, the court in this State shall dismiss the petition.

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